

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Patrick Yu	Team: Squad #6	CCRB Case #: 201503532	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 05/05/2015 10:50 AM	Location of Incident: [REDACTED]	Precinct: 79	18 Mo. SOL 11/5/2016	EO SOL 11/5/2016	
Date/Time CV Reported Tue, 05/05/2015 10:56 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 05/05/2015 10:56 AM		
Complainant/Victim	Type	Home Address			
[REDACTED]	[REDACTED]	[REDACTED]			
Subject Officer(s)	Shield	TaxID	Command		
1. SGT Okelie Bentley	03482	[REDACTED]	079 PCT		
Officer(s)	Allegation			Investigator Recommendation	
A.SGT Okelie Bentley	Force: Sgt. Okelie Bentley used physical force against § 87(2)(b) [REDACTED]			[REDACTED]	

Case Summary

On May 5, 2015, § 87(2)(b) filed this complaint with the CCRB via phone. § 87(2)(b) complaint was split into two cases because he wished to mediate his other portion of his complaint regarding another officer. Case #§ 87(2)(b) is still currently pending (encl. 3A).

On May 5, 2015, at approximately 10:50 a.m., as § 87(2)(b) exited a deli located on § 87(2)(b) in Manhattan, he saw Sgt. Okelie Bentley speaking with his son, § 87(2)(b). § 87(2)(b) approached Sgt. Bentley and asked what was wrong. Sgt. Bentley subsequently pushed § 87(2)(b) back twice and instructed him to get off the corner (**Allegation A**). § 87(2)(b) was not issued any summonses or arrested in regards to the incident (encl. 4B).

Mediation, Civil and Criminal Histories

§ 87(2)(b) rejected mediation during his initial phone statement and during his interview (encl. 4G). A Notice of Claim query was sent on June 23, 2015 (encl. 10C). To date, the results are pending. § 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Civilian and Officer CCRB Histories

- This is § 87(2)(b) first CCRB complaint. § 87(2)(b) complaint was split into two cases and his second case is currently pending (case #§ 87(2)(b) (encl. 3A).
- Sgt. Bentley has had eight prior CCRB complaints with 20 allegations pled against him. Sgt. Bentley has four prior force allegations which have been either exonerated or unfounded (encl. 2A-2B).

Findings and Recommendations

Witness:

§ 87(2)(b) :

§ 87(2)(b) did not want his son to be involved in the investigation and refused to have his son contacted in regards. He further stated that if his son wanted to participate then he would call. To date, § 87(2)(b) has not contacted the CCRB in regards. § 87(2)(b) is § 87(2)(b) old and resides at the same address as § 87(2)(b) (encl. 4G).

Allegation A-Force: Sgt. Okelie Bentley used physical force against § 87(2)(b)

It is undisputed that Sgt. Bentley was on the scene of incident and interacted with a few civilians. During Sgt. Bentley's interview, a photo of § 87(2)(b) was presented and he did not recall interacting with § 87(2)(b) (encl. 5F-5G). However, the investigation determined that § 87(2)(b) was one of the aforementioned civilians that interacted with Sgt. Bentley. After exiting the deli, § 87(2)(b) stated that Sgt. Bentley pushed him backwards twice when he approached Sgt. Bentley and asked what happened upon seeing Sgt. Bentley speaking with his son (encl. 4G). § 87(2)(b) was pushed backwards and had to grab the side of the store's door for balance. § 87(2)(b) did not seek medical attention after the incident. Though he complained of an injury, he had a previous knee injury along with arthritis that can contribute to any pain he suffered (encl. 4G).

Sgt. Bentley responded to an officer's call for assistance due to a female on the scene that refused to comply with the officer's orders. At the location, Sgt. Bentley observed an irate and belligerent woman screaming at the officers. At one point, the female went inside the deli and as she exited,

a black male followed behind her. The black male along with other individuals on the scene began to instigate the situation. A crowd of five or six individuals formed around the female and blocked pedestrian traffic. Subsequently, Sgt. Bentley instructed the individuals to leave. A few of the individuals did not comply with Sgt. Bentley's commands. Sgt. Bentley admitted to physically guiding the individuals by placing his hands on them and motioning for them to move along. Sgt. Bentley denied shoving or pushing any individuals on the scene. Sgt. Bentley denied using any physical force (encl. 5F-5G).

A person is guilty of obstruction governmental administration when he intentionally obstructs, impairs, perverts the administration of law, New York State Penal Law §195.05 (encl. 1A)

§ 87(2)(b) denied the Sgt. Bentley performing any police duties at the time, § 87(2)(g)
§ 87(2)(b) At the time, Sgt. Bentley was taking lawful police action of investigating a situation involving the irate female. During the incident, individuals gathered around the female forming a crowd of five or six. Sgt. Bentley then gave lawful orders for the female and the individuals to leave the location based on the fact that they obstructed the pathway of pedestrians and forced people to walk around the crowd. The EVENT was ordered to confirm the incident, but none was generated for the incident (encl. 6A-6B and 11B). However, § 87(2)(b) corroborated in that there were approximately seven or eight officers on the scene. § 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)

Pod: _____

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date